

THE MARYLAND WILDLIFE ADVISORY COMMISSION  
MINUTES – NOVEMBER 17, 2004

Chairman Chris Dollar called the meeting to order at 9:40 a.m.

**Adjustments to the November 17, 2004 Wildlife Advisory Commission Agenda**

- Chairman introduced Delegate Dwyer to the attendees.
- Chairman Dollar made the changes to the order of the agenda. Moved the 6<sup>th</sup> item on the agenda, Captive Raised Deer in Maryland (Group Discussion), to the 2<sup>nd</sup> item on the agenda.
- Director Peditto gave welcoming remarks to the reappointed Commissioner V. Wilson Freeland and newly appointed Commissioner Robert E. Brown, Jr.

**Approval for Minutes from October 2004 Meeting**

- October minutes were approved without changes.

**Captive Raised Deer in Maryland (Group Discussion)**

- Chairman Dollar pointed out that there are many concerns about captive raised deer.
- Sergeant Charron passed out copies of **\$10.905 and \$10.1105 of the Annotated Code of Maryland and \$08.03.09.12 from COMAR [Attachment A]**.
- Chairman Dollar tailored the discussion to the following points:
  - 1) Discuss health implications to Maryland's wildlife,
  - 2) Address the needs and the policies in a practical manner,
  - 3) Proactive debate,
  - 4) Outline protocols on how to educate the public, especially, the media, and
  - 5) No discussion of pending legal cases.
  - 6) The Department is asking for feedback from the Wildlife Advisory Commission (WAC) as to the next appropriate course of action.
- **Motion:** Chairman Dollar proposed that the Wildlife Advisory Commission provide the Department of Natural Resources (DNR) with feedback on this issue. Commissioner Pascal seconded the motion. Motion passed.
  - 1) Commissioner Adams suggested WAC include a statement regarding the seriousness of Chronic Wasting Disease (CWD). Commissioner Adams was apprehensive about the operational procedures.
  - 2) The Wildlife and Heritage Service did an outreach CWD campaign two years ago. The public was well informed about the seriousness of this new and potentially devastating disease and the fact that no new captive deer permits will be issued in the future.
  - 3) Commissioner Lamp expressed concern with the Department's current protocols.
  - 4) The licensed permit holders have to adhere to strict guidelines outlined by the Department and by the U.S. Department of Agriculture (USDA).
  - 5) Commissioner Scarborough asked if an individual with 200 acres and proper fencing could obtain a permit to keep captive deer.
    - (a) Although the statute allows for this option, since 1984, the Department has not issued a Game Husbandry Permit for deer to any new applicants.
    - (b) With the changes in policy and as time progress, the goal was to ensure Maryland will no longer have licensed captive deer herds.
  - 6) Commissioner Scarborough stated that if the real issue is to avoid the disease then why not get rid of the captive deer completely. In addition, Commissioner Scarborough explained that on a political level and as a public relation component, the Department cannot continue to have it both ways, allowing individuals to have captive deer and getting rid of all captive deer in Maryland.
    - (a) The Department is worried about the illegal herds interacting with wild deer and the seemingly sudden increase in the number of illegally held deer. This has prompted the Department to take a hard look at how to deal with this issue.
    - (b) Commissioner Adams recommended having arrangements made for all illegal deer herds in Maryland legalized and prohibit these deer from reproducing.
    - (c) Commissioner Lamp spoke with several rehabilitators, and they are not pleased with allowing wildlife to be raised in captivity but they also did not approve of the manner that DNR handled the recent situations.
    - (d) Director Peditto highlighted the fact that several states and Congress, legislation is under review to ban the possession of captive exotic animals, including fallow deer.
  - 7) Chairman Dollar tabled discussion until after the discussion of item #7 on the agenda (Natural Resources Police Update).

### **Maryland Farm Bureau (MFB)**

- Presentation by Kurt Fuchs
  - 1) This has been a tremendous year for the MFB. The members' count started at about 14,500. At this time MFB has over 19,000, and hopefully will exceed the 20,000 mark by the end of 2004.
  - 2) Policy recommendations are under development for the upcoming session this year. For the 2005 legislative session, wildlife issues are the primary focus for MFB. MFB has eleven policy recommendations addressing wildlife issues that will be up for debate at the next convention.
  - 3) Mr. Kurt Fuchs will send Director Paul Peditto a copy of the eleven policy recommendations.

### **Fur Resources Advisory Committee Update**

- Presentation by Robert Colona, Furbearer Biologist
  - 1) Fur Resources Advisory Committee is an issue-driven committee, which meets as needed.
  - 2) The major part of the 2004 meeting discussions dealt with the fur user license.
    - (a) A few years ago, the Fur Resources Advisory Committee decided to develop policies that would require mandatory education and a fur user license.
    - (b) The passing of these policies would have assisted WHS in obtaining more data on furbearer species. During the 2004 General Assembly, the fur user license bill passed through the House and failed in the Senate.
  - 3) Commissioner Lamp handed out to the Commissioners, a document requesting support for a motion at the February meeting to ban the use of steel-jawed leg hold traps in Maryland [Attachment B].

### **State Forest & Park Service Update**

- No report.

### **Waterfowl Outfitters Regulations**

- Chairman Dollar confirmed that the Commission received the final version of the Waterfowl Outfitters Regulations.
- Chairman Dollar contacted a handful of waterfowl outfitters and they were in agreement with the changes to the waterfowl outfitters regulations.
- Commissioner Pascal had a discussion with other DNR leaders to lobby support for changing the language from two-bird bag limit to one-bird bag limit per outfitter.
- Chairman Dollar emphasized that the Commission voted on this at the October 20, 2004 meeting.
- The last Waterfowl Outfitters Regulations proposal was mailed out to over 100 outfitters/guides.
  - 1) Staff members received a lot of feedback regarding the one-bird bag limit/per outfitter.
  - 2) Outfitters indicated to staff that the ability to hunt during guiding is an incentive for individuals who do not have the availability to hunt on private lands.

### **Natural Resources Police Update**

- Presentation by Sergeant Randy Charron
- Sergeant Charron provided summary of NRP activity from August 21, 2004 through November 11, 2004 [Attachment C].

### **Final Comments on the Captive Raised Deer Discussion**

- **Motion:** Commissioner Scarborough proposed that the Department creates an amnesty period of 6 months with the requirement to sterilize all captive deer in order for the owner to become a legal permittee. Commissioner Pascal seconded the motion. Chairman Dollar opened the floor for discussion.
- Groups or person holding illegal deer will be given the opportunity to integrate their deer with current legal deer herds in Maryland or outside of Maryland. The individuals with illegal deer farms will be responsible for payment of all fees associated with the transporting of the deer herd.
- There was discussion to increase the fee from \$10 to \$125.
  - 1) Points were made that the fee increase will be viewed as a tax increase during the legislative session. Commissioner Scarborough pointed out that there are two sides to this issue, the want to have people register or the want for money to transport them. **The Wildlife and Heritage Service proposed budget for 2006 will be exclusively allocated to special funds, which is funded by 3.2 percent of Marylanders hunting dollars to pay for the management of wildlife in Maryland.**
  - 2) **Motion:** Commissioner Fratz proposed that the Department raise the permit fee for the Game Husbandry permit specifically for the license of captive cervids. Chairman Pascal seconded the motion. Chairman Dollar opened the floor for further discussion on impacts of increasing the fees.

- Summarized Recommendations
  - 1) Opened statements on serious consequences of Chronic Wasting Disease
  - 2) Two step process:
    - (a) Develop protocols for certifying/regulating illegal groups or person(s) that now have captive deer and upon those groups or person(s) gaining a license would have the animals sterilized.
    - (b) The current legal permittees will be required to sterilize their deer.
    - (c) The deer will live out their natural lives.
  - 3) If the illegal group does not want animals enrolled into licensing program, the illegal group could ask existing licensees to inherit their herd. The person(s) holding the illegal herd will incur all cost related fees for deportation of the herd including costs associated with obtaining all the necessary states permits for the deportation.
  - 4) All deer herds will be required to be licensed. If the owner does not obtain a license during the amnesty period, the herd will be seized. There will be no grace period.
  - 5) Amend the existing laws regarding Game Husbandry Permit fee of the existing laws from 10.00 to 125.00 dollars for licensing captive cervids.
  - 6) **Motion:** Commissioner Lamp proposed that DNR promote this program to the public through the normal media channels. Commissioner Freeland seconded the motion. Motion passed.
  - 7) **Motion:** Commissioner Scarborough proposed, contingent upon the Department's acceptance of the amnesty recommendation, that the Wildlife Advisory Commission recommend that the amnesty period be retroactive for the last twelve months to include the current cervid licensing violations. Commissioner Pascal seconded the motion. Motion passed.
  - 8) Chairman Dollar will compile the recommendations and compare the recommendations with the recorded minutes. The minutes will be prepared expeditiously and distributed by December 6<sup>th</sup>.

#### Old Business

- Tele-check will be implemented during the 2005-2006 Hunting Seasons.
- **Motion:** Chairman Dollar proposed that an amendment be made to the Waterfowl Outfitters Regulations Proposal to only allow one-bird bag limit for outfitter/guide while guiding. Commissioner Pascal seconded the motion. Motion passed. (This motion was also made at the October 20, 2004 WAC meeting and passed.)

#### New Business

- Commissioners requested that the surplus land list discussion be added to the February meeting.

There being no further business, the meeting was adjourned at 12:05 p.m.

#### Attendance

Members:	L. Adams, R. Brown, C. Dollar, G. Fratz, W. Freeland, L. Julio, J. Lamp, R. Pascal, M. Scarborough
Guests:	K. Fuchs, Del. Dwyer
Staff:	B. Beyer, K. Blizzard, R. Colona, R. Charron, H. Lynch, P. Peditto, M. Slattery, T. Spencer, G. Therres, L. Witcher
Absent:	C. Garner